

Trial Section Merits Panel  
BOX INTERFERENCE  
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Paper No. **13**

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

WILLIAM J. BOYLE  
(5,843,678 and 08/880,855),

Junior Party,

v.

DANIEL M. GORMAN  
and JEANINE D. MATTSON  
(08/989,362),

Senior Party.

Interference No. 104,336

**MAILED**

**JUN 28 2000**

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Before SCHAFFER, LEE, and TORCZON, Administrative Patent Judges.

TORCZON, Administrative Patent Judge.

**JUDGMENT**

(PURSUANT TO 37 CFR § 1.662)

**INTRODUCTION**

Junior party Boyle requests entry of adverse judgment against itself by conceding priority for both counts in this interference (Paper No. 38). The request is granted.

**ORDER**

Upon consideration of the record of this interference, it is-

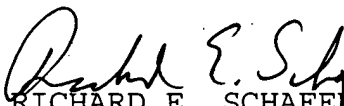
ORDERED that judgment on priority as to Count I is awarded against junior party Boyle;

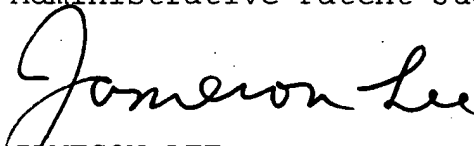
FURTHER ORDERED that junior party Boyle is not entitled to a patent containing claims 1-15 of Boyle's 5,843,678 patent, which correspond to count I;

FURTHER ORDERED that junior party Boyle is not entitled to a patent containing claims 1, 2, 4-7, 9-15, and 37 of Boyle's 08/880,855 application, which correspond to count II;

FURTHER ORDERED that, based on the record before us, senior party Gorman is entitled to a patent containing claims 1-6, 11-16, and 21-46 of Gorman's 08/989,362 application;

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative record of Boyle's 5,843,678 patent, Boyle's 08/880,855 application, and Gorman's 08/989,362 application.

  
RICHARD E. SCHAFER  
Administrative Patent Judge

  
JAMESON LEE  
Administrative Patent Judge

  
RICHARD TORCZON  
Administrative Patent Judge

BOARD OF  
PATENT  
APPEALS AND  
INTERFERENCES

Interference No. 104,336  
Boyle v. Gorman

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